

Related Entries: (Not identified at this time)

Purchasing and Bidding

The School Board of Lee County is committed to a fair and equitable process for purchasing goods and supplies to ensure maximum value is received for any money expended.

- (1) No person, unless authorized under Board policy, may make any purchase, rental, lease, or enter into any contract involving the use of District funds, including internal funds.
- (2) The Superintendent or Procurement designee shall determine that proper standards and specifications are established for any purchase subject to the provisions of law, State Board of Education Regulations and Board policy.
- (3) The Superintendent or Procurement designee shall see that all goods or services purchased conform to such standards and specifications and shall take such other steps as may be necessary to ensure that maximum value is received for any money expended.
- (4) The District Formal Bid Threshold shall be \$50,000.00.
- (5) Purchases in an amount less than the District Formal Bid Threshold are not subject to Board Approval. Such purchases may be approved by the Superintendent or Procurement designee to the extent the expenditure does not exceed applicable appropriations in the District budget.
- (6) Competitive Selection Process
 - (a) When the amount purchased is less than 20% of the District Formal Bid Threshold, such purchases are not subject to the competitive award process.
 - (b) When purchases are to be made of any item or group of related items of goods or services costing at least 20%, but less than 70% of the District Formal Bid Threshold, the school or department desiring to make such purchase(s) shall request three quotations and indicate such on the purchase requisition(s). The quotations may be verbal or written and may be received by mail, electronic mail, facsimile machine or other similar medium.

- 42 (c) When purchases are to be made of any item or group of related items of goods
43 or services costing at least 70%, but less than 100% of the District Formal Bid
44 Threshold, the school or department desiring to make such purchase(s) shall
45 ask the Procurement Department to request three or more written quotations,
46 by mail, electronic mail, facsimile machine or other similar medium. The written
47 quotations shall accompany the purchase requisition as a permanent part of
48 the purchase record.
49
- 50 (d) When purchases are to be made of any item or group of related items of goods
51 or services costing 100% or more of the District Formal Bid Threshold, the
52 school or department desiring to make such purchase(s) shall ask the
53 Procurement Department to request formal, sealed, written solicitations from
54 three or more sources. An appropriate bid bond shall be required when
55 deemed necessary by the Superintendent or designee.
56
- 57 1. Any solicitation shall clearly state that the Board reserves the right to
58 reject any and all responses.
59
- 60 2. The Procurement Department, on behalf of the Superintendent, shall
61 have the authority to create a solicitation document which shall be in
62 the best interests of the District, and which may be modified as required.
63
- 64 (e) A Performance and Payment Bond shall be required as provided by Section
65 255.05, Florida Statutes and State Board of Education Rule 6A-2.0010.
66
- 67 (f) Formal, sealed, written responses to a solicitation are to be received at the
68 designated place, date and time for the return. Any response received after
69 the designated deadline shall not be accepted or considered.
70
- 71 (g) Any sealed bids or portions thereof that include a price submitted for the
72 construction or repair of a District building must be opened at a public meeting
73 conducted in compliance with Section 286.011, Florida Statutes. The name of
74 each bidder and the price submitted must be announced at the meeting and
75 made available upon request.
76
- 77 (h) Formal responses shall be tabulated and evaluated by the Superintendent or
78 Procurement designee and the requisitioner, and the Superintendent shall
79 make written recommendations to the Board to award the best responses
80 received from responsive and responsible bidders.
81
- 82 (i) When tabulating bids for printing of materials, if the lowest bid is submitted by
83 a vendor having a principal place of business outside the State of Florida a
84 preference of 5% shall be applied to the lowest responsive and responsible
85 vendor having a principal place of business in the State of Florida if the printing
86 can be performed in this state.
87
- 88 (j) When tabulating responses for purchases of personal property, if the lowest
89 response is submitted by a vendor whose principal place of business is located

- 90 outside the State of Florida and the state or political subdivision thereof where
91 the vendor's principal place of business is located provides a preference, a
92 preference equal to that granted in the vendor's home state will be granted to
93 the lowest responsible and responsive vendor having a principal place of
94 business in the State of Florida.
95
- 96 (k) When tabulating responses for purchase of personal property, if the lowest
97 response is submitted by a vendor whose principal place of business is located
98 outside the State of Florida and the state or political subdivision thereof where
99 the vendor's principal place of business is located does not provide a
100 preference, a preference of 5% will be granted to the lowest responsible and
101 responsive vendor having a principal place of business in the State of Florida.
102
- 103 (l) Upon receiving the Superintendent's recommendations for action on formal
104 responses, the Board shall accept the best responses meeting specifications.
105 The Board retains the right to accept or reject any and all responses in the
106 best interests of the District or as otherwise provided by law or regulation.
107
- 108 (m) Emergency solicitations allowed by law or regulation, if approved by the
109 Superintendent or Procurement designee, may be requested by telephone,
110 facsimile machine, electronic mail, or some other similar medium, and returned
111 as requested. Following the declaration of an emergency, in writing, by the
112 Superintendent, responses to emergency solicitations shall be tabulated and
113 presented to the Superintendent who may authorize the purchase of services
114 or commodities to proceed. The Superintendent shall submit to the Board the
115 results of the emergency action. The minutes of the Board Meeting shall reflect
116 the nature of the emergency and shall state that to have followed the regular
117 competitive award procedures would have caused a delay detrimental to the
118 public interest.
119
- 120 (7) From the time that a formal solicitation is released until such time as an award is
121 made by the School Board, vendors are prohibited from lobbying School Board
122 Members, District employees, or any community member appointed to serve on the
123 relevant selection committee, regarding the formal solicitation. All inquiries must be
124 written and directed to the Department of Procurement Services.
125
- 126 (a) Lobbying is defined as any action taken by an individual, firm, association, joint
127 venture, partnership, syndicate, corporation, and all other groups who seek to
128 influence the governmental decision of School Board Members, District
129 employees, or any community member appointed to serve on the relevant
130 selection committee, on the award of a contract. Lobbying by any respondent
131 or any individual on behalf of a vendor will result in rejections/disqualification
132 of said response.
133
- 134 (b) Violation of the provision regarding lobbying may also result in debarment of
135 the vendor as provided in Policy 6.071.
136

- 137 (8) When a respondent wishes to withdraw a response after the designated deadline for
138 receiving the same, a written request must be submitted to the Superintendent's
139 Procurement designee giving the reason(s) for the desired withdrawal. The
140 Superintendent or Procurement designee is authorized to accept or reject any such
141 request based upon what is in the best interest of the District.
142
- 143 (9) If a vendor becomes unable to provide goods or services pursuant to the award of
144 any contract, the Superintendent or Procurement designee is authorized to rescind
145 the award(s) of specific line item(s), commodities or services.
146
- 147 (10) The requirement for requesting solicitations from three or more sources does not
148 apply to the purchase of certain goods or services allowed by law or regulation to be
149 exempt from the competitive award process.
150
- 151 (11) The School Board shall receive and give consideration to the prices available to it
152 under rules of the Department of Management Services, Division of Purchasing,
153 including the use of the program for on-line procurement of commodities and
154 contractual services under Section 287.057(22)(a), Florida Statutes.
155
- 156 (12) In lieu of requesting competitive solicitations from three (3) or more sources, the
157 District may make purchases at or below the specified prices from contracts awarded
158 by other entities as provided by State Board of Education Rule 6A-1.012(6).
159
- 160 (13) Internal Funds Purchases
161
- 162 (a) Internal Funds are defined as all monies collected and disbursed by school
163 personnel within a school, for the benefit of the school, or a school-sponsored
164 activity.
165
- 166 (b) When purchasing items from internal funds, the requirements for requesting
167 solicitations shall not apply if either of the following conditions are met:
168
- 169 1. Items are acquired for resale to students in the school store or
170 purchased for fund-raising activities.
171
- 172 2. The purchase amount is less than the applicable District Formal Bid
173 Threshold.
174
- 175 (c) Purchases made from funds held in trust for individuals such as purchases of
176 class jewelry, school annuals, cards and invitations, insignias, caps and gowns
177 shall be exempt from competitive selection requirements.
178
- 179 (14) All purchase orders shall be encumbered to the proper budget records prior to
180 issuance. Emergency confirming purchases must have prior approval of the
181 Superintendent or Procurement designee, and a letter of explanation must
182 accompany the purchase order as a permanent part of the purchase record.
183

- 184 (15) Item(s) proposed to be purchased which are identical or similar to item(s) already
185 stocked in the District's warehouse shall be obtained from the warehouse. Any
186 deviation from this provision shall be fully justified and documented by the principal
187 or department head as to the reason for the exception, pre-approved by the
188 Superintendent or Procurement designee, and maintained for audit purposes. This
189 provision applies to both budgeted funds and internal funds purchases, except items
190 purchased for resale.
191
- 192 (16) The Board grants authority to the Superintendent or designee to sign routine
193 maintenance/service agreements for office equipment and software site license
194 agreements that have been pre-approved as to form by the Board Attorney.
195
- 196 (17) The Board grants authority to the Superintendent or designee to extend a contract for
197 commodities or contractual services for a period not to exceed 6 months or to renew
198 a contract for such renewal period provided in the original contract, on the same terms
199 and conditions set forth in the original contract, as long as the consent of the vendor
200 is obtained in writing prior to the expiration date of the current term of the contract
201 and the extension or renewal is approved by the Board at its next regularly scheduled
202 meeting following the date of extension or renewal.
203
- 204 (18) The School Board reserves the right to exercise any right or privilege accruing from
205 law or regulation not addressed directly by this Policy.
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207

208 **STATUTORY AUTHORITY:** 255.05, 283.35, 287.057, 287.084, 1001.41, 1001.42,
209 1001.43, 1010.04, 1011.06, 1011.07, F.S; and SBER 6A-
210 2.0010, SBER 6A-1.012, and SBER 6A-1.091
211

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